

REMARKS

In response to the Office Action dated July 23, 2004, claims 1, 9, 18 and 27 have been amended. Claims 1-34 are in the case. Reexamination and reconsideration of the application, as amended, are requested.

The Office Action rejected claims 1-34 under 35 U.S.C. 103(a) as allegedly being unpatentable over Peairs (U.S. Patent No. 6,182,090) in view of Zimmerman et al. (U.S. Patent No. 6,678,694).

The Applicant respectfully traverses this rejection based on the amendments to the claims and the arguments below.

Claims 1, 9, 18 and 27 include capturing with a scanner a selected portion of text of printed information as user defined topic classification indicia keys with a close-to-unique identifier of the text for recommending user defined topic matters based on the user defined topic classification indicia keys of previously scanned text of printed information.

In contrast, Peairs in combination with Zimmerman et al. do not disclose all of the Applicants' claimed elements. For example, Peairs merely discloses a method for pointing to documents electronically using features extracted from a scanned icon, while Zimmerman et al. simply disclose a system for retrieving electronic documents. Although Peairs discloses using a scanner to capture documents and using a key generator to identify the document, and Zimmerman et al. disclose using word-pair patterns to topics, none of these references, in combination or alone discloses the Applicants' claimed user defined topic classification indicia keys captured by a scanner for recommending user defined topic matters.

Instead, the key generator in Peairs is based on automatic descriptor recognition of the document (col. 4, lines 34-47). Thus, Peairs does not allow user defined topic classification indicia keys with a close-to-unique identifier of the text for recommending user defined topic matters based on the user defined topic classification indicia keys of previously scanned text of printed information, like the Applicants' claimed invention. Therefore, because the cited references, in combination or alone, do not disclose, teach or suggest the limitations of the claims, as discussed above, they cannot render the Applicant's claims obvious, and thus, this rejection should be withdrawn. In Re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

With regard to the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

Thus, it is respectfully requested that all of the claims be allowed based on the amendments and arguments. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. Additionally, in an effort to further the prosecution of the subject application, the Applicants kindly request the Examiner to telephone the Applicants' attorney at **(818) 885-1575** if the Examiner has any questions or concerns. Please note that all correspondence should continue to be directed to:

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Respectfully submitted,
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